

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff,

v.

Civil Action No. 1:09-11156-JLT

UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES; KATHLEEN
SEBELIUS, in her official capacity as the Secretary
of the United States Department of Health and
Human Services; UNITED STATES
DEPARTMENT OF VETERANS AFFAIRS;
ERIC K. SHINSEKI, in his official capacity as the
Secretary of the United States Department of
Veterans Affairs; and the UNITED STATES OF
AMERICA,

Defendants.

ORDER

July 8, 2010

TAURO, J.

For the reasons set forth in the accompanying Memorandum, this court hereby orders that
Defendants' Motion to Dismiss [#16] is DENIED and Plaintiff's Motion for Summary Judgment
[#26] is ALLOWED.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge